

***MAKING WOMEN MATTER:  
Spain's Long Road Toward Gender Equality***

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## **ABSTRACT**

Evelyn Fees: *Making Women Matter: Spain's Long Road Toward Gender Equality*  
(Under the direction of Liesbet Hooghe)

This paper explores Spain's path toward gender equality. It first discusses gender roles and equality in Spain's own history, especially focusing on the time periods of the Second Spanish Republic, Franco's regime and the Spanish Transition to Democracy. This is followed by an analysis of the influence of the European Union upon Spain's gender equality legislation. The article will then highlight many of the problems with gender mainstreaming that are facing the Spanish population currently, as well as recent legislation which has been created as a response to these problems. Finally, it will argue that with the recent EU legislation and Spain's own post-Franco spirit of liberalization, Spain has managed to – and continues to – achieve unexpectedly modern and advanced gender mainstreaming legislation, and will continue to work to successfully solve problems of gender inequality for many years to come.

## **DEDICATION**

I can't thank my family enough for being there for me whenever I needed them – be it for editing, calming down a panic attack or simply giving me a life update. Also, TAM of 2007 is such an intelligent, empathetic, talented and wonderful group of people that I feel lucky to belong to them and do hereby dedicate this thesis to them, and to our wonderful year-and-a-half together.

## TABLE OF CONTENTS

Introduction.....	1
I) Spain's History of Gender Equality Legislation.....	3
a. Second Spanish Republic.....	3
b. Francoism.....	7
c. Spanish Transition to Democracy.....	9
d. Conclusions.....	13
II) Europe's Influence on Spain's Gender Equality Legislation.....	16
III) Current Spanish Gender Equality Legislation.....	25
a. Law for the Reconciliation of Work and Family.....	25
b. Current Problems Facing the Spanish Population.....	28
c. Latest Legislation and its Champions.....	32
IV) Conclusion.....	35
Works Cited.....	38

### ***Introduction***

As a country whose rich history is largely based upon Catholic beliefs, Spain has traditionally looked to the church to help guide its treatment of women. This has led to a nearly exclusive stereotyping of women as mothers and caretakers. This stereotype, however, began to crack during the first few decades of the 1900s, and by 1931 Spain produced a Constitution in which equality of the sexes was established before the law. Under this particular government, known as the Second Spanish Republic, women were able to work and claim equality with the men who had previously used religion and tradition to oppress them. Unfortunately for Spanish women, this lasted only a few years before Franco took over the government in 1936 and reigned with his Fascist regime until his death in 1975. The years following his death, known as the period of the Spanish Transition to Democracy, saw a veritable explosion of changes in all sectors of government, including those having to do with the treatment of women and family policies. These changes culminated in the Constitution of 1978 which restated the rights of equality for women and tried to erase much of the hurt done to the female sex by Franco's reign.

Faced with the need to make so many changes all at once, Spanish proponents of women's rights looked to some outside forces to help bring them about, and especially to the European Union. In the following paper, Spain's path from the Second Spanish Republic to the end of Francoism, and through today's legislative process will be explored in terms of the treatment of women's and family policies. The paper will try to

explain why it took so long for Spain to produce gender-equal policies and why – after such a lengthy delay – Spain was able to develop extraordinarily radical legislation in a relatively short amount of time. It will focus on the importance of the European Union to this particular Spanish legislative process. Finally, it will discuss the importance and influences of the EU on Spanish gender-equality legislation. All of the translations from Spanish to English in the following article have been done by the author.

## *Chapter One*

***In which I discuss the importance of the Church, the Second Spanish Republic, Franco and the Transition/Constitution of 1978 in Spanish History, and what effects they have had on gender-equality and conciliation policies.***

### *Second Spanish Republic*

The Second Spanish Republic (1931-6) emerged largely as a result of a spirit of liberalization which was making its way across the world, especially the Western world. There were feminist and suffragist movements in several politically important countries, such as England and the United States, which affected the same sort of social movements in Spain. All of these countries had the common problem of a female population ready and wanting to overturn its centuries-old tradition of being a submissive sex and to take its place in all ways equal to its male counterparts.

Several Spanish feminist authors, both during the early 1900s and currently, cite John Stuart Mill and his arguments for the equality of the sexes as being extremely influential and widespread throughout many countries. Rosa Maria Capel claims that one of the most important arguments lifted from Mill's writings and applied to much of the Spanish Feminist movement is the idea that "the female sex [was] not represented nor defended by the male, just as the worker [was] not represented nor defended by the businessman," 2006:81)<sup>1</sup> because the two simply had different objectives and points of view.

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<sup>1</sup> "El sexo femenino no está representado ni defendido por el masculino, como no lo está el obrero por el empresario" (Capel, 2006: 81).

There were several opposing arguments, some asserting that women had power over their husbands and their opinions and so didn't need actual and direct political power. These beliefs, along with several others citing the weakness of the female sex and the strength of the male, were refuted both by Mill and by many Spanish scholars (Capel, 2006).

During the two or three decades leading up to the II Spanish Republic there were two failed attempts to allow women to vote, but neither of these, even had they passed, would have given the right to all women. In 1931, women were finally allowed to run for political office and, soon after, Clara Campoamor, Margarita Nelken and Victoria Kent became deputies: Kent with the Radical-Socialist party, Nelken with the Socialist party and Campoamor with the Radical. Paradoxically, even though Campoamor's party was opposed to giving women the vote, she was the only one of these three women to be in favor of women's suffrage.

Campoamor proved herself to be intelligent and eloquent, as well as extremely democratic. Her arguments were based upon

. . . an ideologically, ethically and radically democratic defense. If one spoke of women needing to "demonstrate their abilities", men too must be made to demonstrate theirs; if one spoke of the influence of the Church over women, she argued that men were just as influenced. . . both positions were linked to an active defense of the social betterment of women; however, one was based in political opportunity and the other in defense of principles of equality" (Aguado, 2005:116-117)<sup>2</sup>.

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<sup>2</sup> Una defensa de carácter ideológico y ético, y radicalmente democrática. Si se hablaba de 'demostrar capacidades', también los hombres necesitarían demostrar su capacidad; y si se hablaba de influencia de la Iglesia sobre las mujeres, otro tanto ocurría con un sector considerable de la población masculina...con todo, ambas posturas estaban vinculadas a una actuación en defensa de la mejora social de las mujeres, aunque una se basase en la oportunidad política, y la otra en la defensa de principios igualitarios (Aguado, 2005: 116-7).



Campoamor fought hard for her sex's right to vote and on the 29<sup>th</sup> of September, 1931, representatives of Congress met to discuss the articles of the Constitution which would guarantee a woman's right to liberty and equality. Campoamor was angered by further discussions on the 30<sup>th</sup> of September during which many of the men said that they wanted to place many more restrictions on this right than had previously been discussed. She confronted them during these meetings with an argument based upon the principles mentioned above, and especially on the principle that conditional equality is no equality at all. She was very convincing and, finally, on October 1<sup>st</sup>, 1931, women in Spain received the right to vote (Campoamor, 1936). Article 36 of the 1931 Constitution stated: "Citizens of both sexes, over the age of 23, will henceforth have the same electoral rights as determined by the law."<sup>3</sup>

Another great triumph for Campoamor and Spanish women in the Constitution of 1931 had to do with the rights of marriage – and divorce. Women were finally recognized as equals in the institution of marriage. Article 43 said: "The family is under the special guardianship of the State. Matrimony is founded upon the equality of the sexes, and can be dissolved if either partner petitions it and can prove that he or she has just cause."<sup>4</sup>

Though Spain had heretofore found itself behind other European countries in terms of equality policies, these two laws were considered surprisingly modern and advanced for the time. This, and the overarching period of liberalization of the Second Spanish

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<sup>3</sup> "Los ciudadanos de uno y otro sexo, mayores de veintitrés años, tendrán los mismos derechos electorales conforme determinen las leyes" (Constitución de 1931, Art. 36).

<sup>4</sup> "La familia está bajo la salvaguardia especial del Estado. El matrimonio se funda en la igualdad de derechos para ambos sexos, y podrá disolverse por mutuo disenso o a petición de cualquiera de los cónyuges, con alegación en este caso de justa causa" (Constitución de 1931, Art. 43).

Republic, gave many, though certainly not all, Spanish women hope that their fortunes would – or at least could – change dramatically (Valiente, forthcoming).

Nonetheless, winning the feminine vote and the right to divorce did not cause nearly enough of the changes that Campoamor and other feminists had hoped for. This was largely due to the discrepancy between the policies passed at the legislative level and the policies that actually reached and affected the female population. Most women were so controlled by their husbands and society that the policies could not hope to make any changes at a personal level. Maria Lejarraga, an important feminist scholar at the time, traveled around Spain before the 1933 elections trying to garner female support as well as to educate the more rural women who had no access to the information put out by the government. She found this quest extremely disheartening. Mercedes Yusta documents Lejarraga's journey, and quotes her as having said:

My fight to end prejudice against women has turned out to be an impossible dream. I haven't found women to convince...Because in Granada and its province, women don't exist. This is no exaggeration. They don't matter; it has never occurred to them to matter...No one has ever thought of using the formidable force of the female element. And, with the arrival of the moment for women to reclaim their votes, we encountered the fact that half of the electoral body was outside of our influence...they escaped us...(Yusta 2006: 114).<sup>5</sup>

Disenchanted, the women and feminists who had fought so hard for a woman's right to vote were left with only the hope that experience would be a better educator than they, themselves, had been able to be, and that the women who now had the ability to vote would learn how to do so wisely.

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<sup>5</sup> Mi lucha contra los prejuicios femeninos resultó ser un sueño irrealizable. No encontré mujeres a las que convencer. Porque en Granada y su provincia la mujer no existe. No es exageración. No cuenta; jamás se ha ocurrido que pudiera contar. Ni a ella ni a nadie...nadie había pensado en utilizar para nada la fuerza formidable del elemento femenino Y, llegado el momento de reclamar el voto de las mujeres, nos encontrábamos con que más que la mitad del cuerpo electoral estaba fuera de nuestra influencia y se nos escapaba...(Yusta 2006: 114).

Devastating such feminists as Campoamor and Lejarraga, both the 1933 and the 1936 elections were won by conservatives, and in 1936 the Popular Front Party entered into power. Many critics blamed women for the conservative win, claiming that these women had voted simply as they had been told by their husbands. They claimed that without women the conservatives would have had much greater difficulties coming into power, Franco included (Aguado, 2006). Clara Campoamor (1936) refuted this idea of women as mindless creatures and in her book *El voto femenino y yo: Mi pecado mortal*<sup>6</sup> she sets out to prove that women didn't swing the vote in favor of the conservatives and claims that they were not the deciding factor in the election outcomes.

Women were not given another chance to prove themselves as freer, more liberal voters: shortly after the landslide conservative victory of 1936, the Spanish Civil War was upon them. At its end, Franco and his ultra-conservative party took control of the government, forcing women to wait more than four decades to reclaim once again their right to equality.

### *Francoism*

Under Francoism, women's rights were severely repressed. Franco based his treatment of women on two main and interconnected ideologies— that of Catholicism and that of the traditional family, with the man as the head of and breadwinner for the family and the woman as the mother and caretaker (Gómez-Ferrer, 2006). Based on these principles, then, one of Franco's first orders of business was to recall women from the workplace and into the home. He used religious morals to justify the treatment and demands made of Spanish women during his regime, speaking of the home as something

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<sup>6</sup> *The female vote and me: My mortal sin*

divine -- a place which women should feel honored to occupy. According to Guiliana di Fedo, during this time

[The state] recognize[d] the family as the natural and fundamental building block of society, and at the same time as a moral institution endowed with rights superior and inalienable to those of the law....Even more, the law was lauded as the realization of a patriotic ideal, as was 'the release of the mother of the family from the imprisonment of the workplace outside of the house so as to fulfill her exalted and providential mission (2006:218).<sup>7</sup>

The moralization of women reached even into the realm of clothing, requiring women to dress themselves in an extremely maternal and modest manner. This would avoid the body tempting men away from religious teachings and into more immoral and dangerous behaviors. In short, women's lives had "become morally categorized as being based in abstinence and privation" (Di Fedo, 2006:228).<sup>8</sup>

All of these changes in women's personal lives transcended Spain's legislation, with the disappearance of the laws just recently put into place during the Second Spanish Republic, especially those having to do with divorce, civil matrimony and women's property ownership. If the Second Republic had been allowed to stay in power, Spain would, in all probability, have an even more forward position on women's issues than they currently do. Instead, women's and family policies were pushed off the agenda for nearly forty years. Some minor changes happened during the last decade-and-a-half of Francoism. One of these was the allowance of some women's return to the workplace, due to a demand for more workers. There were also a few changes made to the Civil

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<sup>7</sup> [El Estado]...reconoce a la familia como célula primaria natural y fundamental de la sociedad y al mismo tiempo como institución moral dotada de derecho inalienable y superior a toda ley positiva...[es más]...la ley es saludable como la realización de una ideal patriótico, como es el de 'redimir a la madre de familia de su encadenamiento al trabajo fuera del hogar en que ha de cumplir su excelsa y providencial misión' (2006:218).

<sup>8</sup> mujeres "se había convertido en una categoría moral basada en la abstinencia y en la privación" (Di Fedo, 2006: 228).

Code during the 1960s which gave women more rights inside of their marriages, though these rights were rarely enforced. Indeed, by the last few years of Franco's regime many Spaniards were simply holding their breath, waiting for the chance to undo the overwhelming amount of damage done and to make major changes in Spanish society, as well as in its governing body (Aguado, 2005).

### *The Spanish Transition to Democracy (1975-8)*

With Franco's death in 1975 came the winds of change – exactly what most people had been waiting for. Although Franco's regime had repressed people – not the least of those women – to the point of having neither the power nor the ability to do or change anything, it had a secondary effect. This effect was that, as soon as Franco was dead, people were more than ready to cause change immediately, both in their personal lives and with the creation of radical legislation. That is, because Franco's regime forced people to wait so long for any sort of change and progress, at his death these people were extraordinarily receptive to progress, and willing to take part in radical changes.

This was only one motive for the drafting and implementation of new legislation, however. Another purpose of the new legislation would be to help unify the country. Since the Civil War, Spain had remained divided, and during the Transition politicians wished to avoid the re-polarization of political parties and work together toward a new, viable and modern society. Crucial political players such as King Juan Carlos and Adolfo Suarez, then President of the Government and head of the UCD (Central Democratic Union) party, would figurehead the new government, working with leaders of all political parties to reach new legislation. The new legislation would need to

embrace a spirit of compromise in order to benefit all Spaniards and not benefit one party over another. By compromising, the new Spanish government would hopefully be able to bridge some of the gaps between those Spaniards desperate for change and those more traditional Spaniards not desirous of change (Roller, 2002; Moreno, forthcoming). This newly liberalized government, though, was faced with another almost insurmountable problem: how to balance strong leadership – which was badly needed – while avoiding leadership that would once again lead to strong, prevalent divisions within society and politics.

Women were similarly frustrated, with countless problems confronting them. The most important, immediate and overarching problems were, as detailed by Celia Valiente (2000), “Equal political rights for citizens of both sexes, equality of women and men before the law; reproductive rights; divorce law reform; and the punishment of sexual violence against women” (41). Other policies, especially those having to do with the reconciliation of work and family weren’t ignored, but neither were they considered as important as the aforementioned. According to Valiente-Fernandez (2000), the reason for specific policies being ignored for the moment was because:

Political change was one of the main goals for the majority of women’s rights groups...Having experienced nearly four decades of dictatorship made many feminists consider, as a priority, the establishment of a new political regimen...with the recognition of civil rights and basic policies for women (and men), in addition to a considerable degree of equality before the law (146).<sup>9</sup>

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<sup>9</sup> “El cambio político constituyó una de las principales metas de la mayor parte de los grupos en defensa de los derechos de las mujeres...la experiencia de casi cuatro décadas de dictadura hizo que muchas feministas consideraran prioritario el establecimiento de un nuevo régimen político...[con] el reconocimiento de derechos civiles y políticos básicos para las mujeres (y para los hombres), además de un considerable grado de igualdad de ambos ante el ley (Valiente-Fernandez, 2001:).

The focus of women's rights groups did not become work-and-family policies, or more specific policies of this kind, until after basic civil rights had been addressed, as most women felt that these were the more important policies and had been denied them for so long. Basic rights like the right to vote and the right to work were much more crucial and important at the moment.

During the Transition, many laws were both lifted and passed in terms of women's rights. The use of contraceptives was no longer banned, and many people began to use the new "Family Planning Services," thus allowing for more sexual freedom, as well as more freedom and individualization within marriages (Comabella and Salas, 1999). Another important step during the Transition was that as a result of the 1977 and 1979 elections, several women were elected to government positions, women whose voices would prove crucial for the future of women's rights and women's organizations (Valiente, forthcoming).

The 1978 Constitution, finally, re-guaranteed these lost equalities before the law. Article One claims that "Spain...promotes...liberty, justice, equality and political plurality"<sup>10</sup>, including not only women, but everyone in its definition. Other examples of its dedication to equality are:

Article 9.2. It is a duty of public powers to promote conditions so that the liberty and equality of the individual and of the groups to which they belong be both realized and effective...Article 14. Spaniards are equal before the law, discrimination not being allowed for any reason of birth, race, sex, religion, opinion or any other personal or social condition or circumstance...(Constitución 1978).<sup>11</sup>

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<sup>10</sup> Artículo 1. "España...propugna...la libertad, la justicia, la igualdad y el pluralismo político" (Constitución de 1978).

<sup>11</sup> Artículo 9.2. "Corresponde a los poderes públicos promover las condiciones para que la libertad y la igualdad del individuo y de los grupos en que se integran sean reales y efectivos...Artículo 14. Los españoles son iguales ante la ley sin que pueda prevalecer discriminación alguna por razón de nacimiento, raza, sexo, religión, opinión o cualquier otra condición o circunstancia personal o social..."

The Constitution also addresses the issues of equality insofar as marriages and children were concerned. Article 32.1 says that “A man and a woman have the right to marriage with full judicial equality,”<sup>12</sup> meaning that, at least politically, a woman had absolute equal rights within her marriage, and didn’t need to submit her rights to her husband’s. The article that especially focuses on women and children within a marriage is number 39.2 which “Assures...the integral protection of the children...and the mothers, whatever their civil state may be,”<sup>13</sup> essentially promising the mother equal rights in questions of custody, regardless of her marital status. This was a change from the rights allowed to mothers under Franco’s regime, when nearly all rights and power belonged to the fathers and husbands (Constitución de 1978).

Nonetheless, the Constitution was not the be-all-and-end-all for equality legislation. It was a good starting point, but it also came with several problems. The first of these was that, in an effort to avoid repeating the strict governance that had so defined Franco’s regime, the Constitution was almost too flexible, and too open for interpretation. Elisa Roller (2002), who does extensive research into the nature of the 1978 Spanish Constitution, remarks that “the text is often simultaneously contradictory and politically ambiguous, representing the spirit of compromise of the times” (4). The second was that, although the Constitution did guarantee all of these freedoms and equalities for both sexes, in reality it would take much more work to change the status of women in Spain. The stereotype of women as caretakers and mothers would not be easy to erase – if it

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<sup>12</sup> Artículo 32.1. “El hombre y la mujer tienen derecho a contraer matrimonio con plena igualdad jurídica” (Constitución de 1978).

<sup>13</sup> Artículo 39.2. “Asegura...la protección integral de los hijos, iguales éstos ante la ley...y de las madres, cualquiera que sea su estado civil...” (Constitución de 1978)



could ever be erased completely. Women were both encouraged and allowed to work, but more legislation would have to be passed, especially in terms of reconciliation policies, before they could actually be treated as equals within both the workplace and the home.

### *Conclusions*

With Franco's death, Spain was once again able to claim a place as a key player in both European and world politics. This was due to several factors, though this paper focuses primarily on the European Union's influence on women's rights and liberties. These factors have helped lead to Spain's rapid social and political advancements within the realm of gender-equality, though many of these have also been influenced by the European Union.

One of these has to do with the political parties which have been in power since the end of Francoism. 1977 through 1982 saw the UCD (Central-Democratic Union) in power and striving to repair the obvious political and social rifts found between the conservative and liberal parties (Roller, 2002). The spirit of compromise and the promotion of gender-equality legislation would continue throughout the leadership of the PSOE from 1982 through 1996, and even throughout the more conservative leadership of the Popular Party from 1996 until 2004. Valiente (forthcoming) gives the credit for this consistency to the desire of Spain to maintain EU standards when it comes to gender equality and says that "in sum, in post-authoritarian Spain, policy makers at the central state level have been advocating gender equality policies in line with the policies of other EU member states....Gender equality is firmly on the political agenda regardless of the

ideological color of the party in office” (9). Nevertheless, party politics have played a major role in promotion of gender equality and it is under the more liberal Socialist Party that the majority of advancements have been made, including under the current administration which has held power since 2004 (Valiente, forthcoming).

Another factor which has contributed to the inclusion of women’s rights and gender equality legislation in recent Spanish legislation has been the call for higher employment numbers. Even during the end of Francoism, “policy makers approved some liberalization measures related to women's status, such as the abolition of some obstacles regarding paid employment (for instance, marriage bars, or the prohibition to perform some professions in the field of law)” (Valiente, forthcoming: 6-7). This need for higher employment certainly made policy makers and politicians – even under Franco – realize that women needed more freedom to be able to work and contribute to the Spanish economy. Nonetheless, major policy changes didn’t begin to take effect until after Franco’s regime was ended and Spain began to align itself and its politics irrevocably with those of the EU and the other EU member states.

The effects of this re-emergence of Spain as a world-player were twofold. First, as mentioned above, Spain would begin its progress towards inclusion in the European Union, conforming its economy and legislation to align with those of other countries belonging to the EU, as well as to EU specifications. Second, the European Union had many programs and plans to help countries such as Spain with changes in their legislation. One such plan was, in fact, a series of programs called the European Community Action Plans, which focused largely on the betterment of women’s and family policies over several years. Another European and world influence on Spanish

women's policies included the United Nations' International Woman's Year in 1975, which played a major role in recognizing the importance of women to any society.

None of this is to say that Spain did not have both the great desire as well as the resources to change its policies regarding women. Its willingness to work toward the greater good and toward the betterment of women was unquestionable. Spain -- most especially the more liberal, leftist parties -- was more than ready to begin an extremely condensed process of liberalization and democratization, with one of its main focuses on the status of women, equality and family policies. However, the EU and other world powers would, over the next few decades, help to direct many of Spain's legislative advances and allow it to become a radically different and democratically governed country by the beginning of the twenty-first century. As many of the changes, both during and after the Spanish transition, were centered upon the fact that women were continuing steadily to enter the workforce in response to the country's demand for a larger labor population, many of these European and country wide policies would have to begin to address the increasingly important question of how to reconcile work and family. They would also question how to balance these reconciliation policies with the need for more gender-egalitarian policies. The next section will explore how the European Union -- and occasionally even more world-wide powers -- influenced the evolving Spanish equality policies and how, over the three post-Transition decades, Spain would both follow and tailor these influences to respond to the changing dynamics within itself.

## *Chapter 2*

***In which I explore major European policies having to do with gender-equality and reconciliation, and its corresponding Spanish legislation and, finally, on the influences that the former has had on the latter.***

The 1978 Constitution only began the process of change and unification, which would continue over the next few decades. Thanks to the combination of Spain's eagerness for change and unity, and the EU's guiding hand, since 1978 Spain has become not only much more modern, but actually quite advanced in terms of equality policies.

One of the first and most important world influences on Spanish women's politics was the UN's International Women's Year, which took place during 1975 – coincidentally the same year of Franco's death. This IWY was a worldwide celebration and recognition of the importance of women, as well as a plea for many governments to reconsider their policies and to incorporate more women- and family-based legislation in their political programs. During this year, Madrid held its "First National Conference for Women's Liberation." The repercussions of this conference varied from calling attention to the need for new and better women's policies, to reaffirming and redefining feminist ideologies which, though there were several diverse ideologies even within the then-limited Spanish politics, would cause feminists to work together to regain the rights lost during Franco's era (Amorós, 2002). The return to power of many influential feminist women and other politicians, coupled with the desire to unify Spanish politics and a resurgence of nostalgia and support for the short period of the II Spanish Republic, all proved a mighty force and helped Spain during its Transition period and beyond.

A critical lever of domestic empowerment was the European Union. The European Union began soon to take a more active role in guiding its member states to more gender-egalitarian governments and societies with its four European Programs for Community Action (EPCA). These programs would address both the long-standing problems with gender-equality policies as well as problems arising over the next two decades. Each program would build on its predecessors, and each would give suggestions and mandates to the participating European countries, showing them to how to improve gender-equality legislation. A few years later these programs were mirrored in Spain by its four Plans for Equal Opportunities for Women and Men (PEOWM) and by other new legislation and policies. Judith Astelarra (2005), in her book *Veinte Años de Políticas de Igualdad*<sup>14</sup>, draws on many sources – both primary and secondary – and provides an extensive and detailed summary of the influences upon and the influences of the EPCA on Spanish politics. She discusses both the components of each EPCA and its corresponding Spanish legislation at great length and will be the main source for this paper’s analysis of the EPCA.

She first analyzes the implementation of the first EPCA, which lasted from 1983 to 1985 and coincided with the founding of the Women’s Institute in Spain in 1983. The Women’s Institute would prove influential in terms of supporting policy changes and suggesting ways in which to tailor them to Spanish society. In the years since its founding, the Women’s Institute has dealt with a plethora of women’s issues, especially those having to do with women’s social integration. Many of these specifically deal with ways in which the government can support working women as they try to balance both

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<sup>14</sup> *Twenty Years of Equality Politics*

work and domestic matters. The four EPCA have also dealt with this issue extensively (Astelarra, 2005).

The first EPCA's main goal, however, was somewhat less focused than this. Its general Europe-wide goal was to "promote the equality of opportunities for women" while more specifically wanting to deal with "revisions of protective legislation at both the national and community levels....parental leave legislation...women's entry into the workforce...redistribution of professional, familial and social responsibilities, and the evolution of mentalities" (Astelarra 2005: 298-9)<sup>15</sup>. Perhaps the most astonishing thing about this particular EPCA was exactly how many changes it tried to enact. It tried to infiltrate all levels of society and affect transformations in every sphere of a woman's life, from the workplace to the home. Its main goal, though, was to smooth the path for more and more women entering into the workforce, and to try to eliminate discrimination once they were actually established in the jobs. Concrete policies regarding women's equality in the workplace were necessary because women were still viewed as highly domesticated. This often led to severe limitations in what they were able and allowed to do in the field by the sides of their male coworkers. Discrimination was certainly not eradicated, but at least there was an increase in conscientiousness regarding women and their contributions to society.

In 1985, another important step for future equality policies happened with Spain's ratification of "the 156<sup>th</sup> Convention of the International Worker's Organization, stating that each member state would incorporate into its political agenda several ideas and

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<sup>15</sup> la "promoción de la igualdad de oportunidades para mujeres", y bajo esto muchos objetivos específicos, incluso: "revisiones de las legislaciones protectoras nacionales y comunitarias...regimen tributario y trabajo de las mujeres, permisos paternos...inserción en la vida laboral...reparto de las responsabilidades profesionales, familiares y sociales., [y la] evolución de las mentalidades" (Astelarra 2005: 298-9).

policies concerning the division of family-and-workplace responsibilities in between the sexes, to lessen the total dependence of the family on the woman” (Carné, 2004: 264)<sup>16</sup>.

This fell in with what the EPCA was promoting as part of its suggestions for helping women ease their way into the workplace.

The second European Program, which lasted from 1986 through 1990, addressed first and foremost many of the new challenges which had arisen during the past few years from the mass movement of women into the labor force. Although it had the same general goals as the first program, the second EPCA more directly confronted the problem of how to reconcile work and family responsibilities. Once again it approached this problem from the gender-equality viewpoint; that is, this program wanted to solve the problems of reconciliation both by promoting governmental policies and by continuing to balance and redistribute male and female contributions to both domestic and workplace tasks. The same egalitarian approach was reflected in most, if not all, of the text of the corresponding Spanish Plans for Equality (Astelarra, 2002; IV PEOWM, 2003).

During this period of the second European program, the Spanish Women’s Institute began to develop its own Plans for Equality and put them into practice. The first Plan for Equal Opportunities for Women and Men (PEOWM) overlapped with the second EPCA and ended in 1992. It was based upon the principles of equality that had so recently been constitutionally guaranteed, and it planned to use these principles to endorse the advancement of legislation founded upon ideas of gender equality. The plan mirrored many of the ideals and proposals of the first and second EPCA.

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<sup>16</sup> “la convención 156 de la Organización Internacional de Trabajadores, que dijo que cada país miembro tendría como parte de su agenda política unas ideas y políticas sobre el uso compartido las responsabilidades familiares y laborales entre los géneros, y sin tanta dependencia en la mujer como responsable total” (Carné, 2004: 264).

The third European Program for Community Action, implemented in the year 1991 and ending in 1995, continued to promote the same goals as the first two programs. It upheld the image of the woman not only as a worker, but as someone valued for both her work and for her contributions to society in general. Women's continued integration into the workplace continued as a theme, as did the betterment of her social and personal lives. An improvement of this program was that, along with the publication of all of their goals and ideas for the betterment of women and family policies in Europe, this program included an idea of the financial contribution and the budget that would be necessary to develop and implement these programs and to meet these goals. This program would also include regular evaluations to determine what sorts of changes were actually taking place and what areas still needed work (Astelarra, 2005).

Spain began its second Plan for Equal Opportunities in 1993, and it lasted throughout the third EPCA, ending in 1995. Taking much of its inspiration from the European Programs, the Spanish Plan upheld the need to concentrate on the value of women, and the recognition of their contributions to both society and to the economic world. The second PEOWM's main goal, however, was mainly the transcendence of legislation and policies at the governmental level to somewhere within the reach of all women; "that is, the promotion and development of positive-action measures, principally in education, training and instruction, and the workplace" (IV PEOWM, 2003)<sup>17</sup>. This goal seems, perhaps, too simplistic to actually be effective; however, this has been a theme throughout the struggle for gender-equality since the beginning of women's suffrage –

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<sup>17</sup> "es decir, la promoción y desarrollo de medidas de acción positiva, principalmente, en los ámbitos de la educación, la formación y el empleo" (IV PIOM, 2003)



the fight to eliminate gaps between the government's policies and their reaching the women for whom the policies are meant.

Another sign of progress during these same years was the creation of the *European Women's Lobby*, created as the umbrella organization for lobbyist groups in each of its member states. The *European's Women's Lobby* was – and is—composed of a variety of women from all over Europe. They work to promote and support equality-policy reform at both the member-state and the European level. Each of the lobbyist groups, as well as the *EWL*, has had an important influence on the development of the European Programs of Equality as well as the plans belonging to each country. Each group has supported these plans throughout their states of implementation and revision, including the Spanish *Women's Lobby*, which was founded in 1993 (Valiente, forthcoming).

The fourth European Program for Community Action was put into action in 1996, and would last until the year 2000. Probably the most important addition to this program was that, along with continuing to promote the themes carried throughout the other programs, there was a committee consisting of representation from each member state as well as a representative from the European Commission to head up the committee.

The fourth EPCA's main objective was to bring the dimension of gender equality into all aspects of the politics of the EU and its member states, and integrate the issue of gender equality into their every action. Though this objective belonged, at least implicitly, to all of the programs, it was much more explicitly explained in this fourth. This program gathered all of the objectives from the previous programs and applied them to the current situation in Europe. It took the ideas of the reconciliation of family with the workplace, of female representation in all levels of government, of the right to equal

opportunities and of the integration of women into social and economic spheres, and joined all of these ideas with those of the budget and the committee mentioned above. Together these elements formed the fourth EPCA, becoming a cohesive and comprehensive program for each of its participating European countries to follow. With this program, the European member states began indeed to “implement ‘[gender] mainstreaming’, defined as the application of the gender-dimension to all of the actions and politics of the EU and its member-states” (Astellara, 2005: 304)<sup>18</sup>.

The aspect of “gender mainstreaming” soon filtered down from European to Spanish politics and was incorporated into the third Spanish Plan for Equal Opportunities for Women and Men. One of this PEOWM’s goals was to have an increased number of women in positions of power and decision-making in both influential governmental positions as well as in their personal and work-lives. To have women in places of power was very important to both the EPCA and the PEOWM, because these women could serve as examples and inspirations for Spanish women and feminist movements and groups, as well as for general societal advances. The EU promoted these ideas of gender-mainstreaming and women in places of power, claiming that only with women in positions of power and decision-making could change actually happen in all other levels of society (IV PEOWM, 2003).

The fourth and final Plan for Equal Opportunities for Women and Men began in 2003 with a document detailing the eight main areas of reform necessary to gain the ideal level of country-wide gender-equality. These eight principle areas of reform (each of which had several subsections) were:

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<sup>18</sup> “plantea al ‘mainstreaming’ definido como la aplicación de la dimensión de género a todas las políticas y acciones de la UE y de los Estados miembros” (Astellara, 2005: 304).

The introduction of gender-perspective in public policies; economic equality between men and women; more female participation in high-level decision-making; promotion for the betterment of female quality of life; the promotion of equality in civil life; the spread of equality-based values and attitudes; the reconciliation of work and family life; and the cooperation of the state with the Spanish Autonomous Communities and local corporations (IV Plan de Igualdad de Oportunidades entre Mujeres y Hombres, 2003: 2-3)<sup>19</sup>.

Along with all of these highlighted areas needing reform, the document showed how the PEOWM would be evaluated as well as how the effects could be measured within the female Spanish population. This PEOWM wanted to ensure that the effects of this plan would be felt in every level of society, from the legislative to the workplace to the home. Cooperation among all facets of government would be necessary to fulfill all of these goals.

The general principles of the Spanish Plans for Equal Opportunities for Women and Men are reflections of, and modeled after, the European Programs of Equality. With its programs, the EU was able to help lead Spain through many of its most transitive and confusing years toward more egalitarian policies and programs. Both the European and the Spanish programs imagined solutions for problems that could have been treated solely as logistical, such as the massive influx of women into the Spanish workforce, and then tried to apply these solutions to the very core of the country's value system. Instead, they tried to attack problems at their very roots. In Spain this was especially necessary because of the strong Catholic and *machista* set of values underlying so much of the discrimination heretofore.

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<sup>19</sup> Introducción de la perspectiva de género en las políticas públicas; de igualdad entre mujeres y hombres en la vida económica; de Participación en la Toma de Decisiones; de Promoción de la Calidad de vida de las mujeres; de fomento de la igualdad en la vida civil; de transmisión de valores y actitudes igualitarias; de Conciliación de la vida familiar y laboral; [y] de Cooperación [con las Comunidades Autónomas y corporaciones Locales] (IV Plan de Igualdad de Oportunidades entre Mujeres y Hombres, 2003: 2-3).

By the beginning of the 21<sup>st</sup> Century, Spain had begun to go even further with its policies than was stipulated by the European Programs. It showed a high propensity for utilizing the guiding European principles of reconciliation, integration, cooperation and gender-mainstreaming and applying them to its own special case. This was due primarily to the spirit of compromise and liberty which infused so much of Spanish society and politics after Franco's regime. This force that took hold of the nation also took hold of its policies, compelling them to evolve and advance at a much quicker pace than, perhaps, would have normally been the case. The main hurdle – to change the idea and stereotype of women as domestic goddess and mother – would prove much harder to eliminate, but the programs, plans and policies showed that both Europe and Spain had not only the will but also the ability to generate many new, innovative policies and to put them in action.

### *Chapter 3*

***In which I focus on Spain and discuss some of the more important and recent legislation passed which has to do with gender-equality and conciliation politics, as well as many of the problems currently confronting female population and how legislation is trying to answer said problems.***

#### *Law for the Reconciliation of Work and Family*

By 1999, thanks largely to its recognition of the PEOWM and the EPCA, the Spanish government had managed to enact many changes toward a more gender-equal society. More and more women were obtaining higher positions within the government, and men were giving much more decision-making power to female voices. Nonetheless, there still remained an enormous amount of work for Spanish politicians and society to tackle.

One major problem that continued to plague women in their quest for equality was the question of how to balance their work-lives with their family-lives. The country was pushing for higher employment and women were responding by still entering the workforce in ever greater numbers. However, policies which would help parents obtain this balance of work-and-home lives were still severely lacking. The fourth Spanish Plan for Equal Opportunities for Women and Men would address the need for many more and better reconciliation policies, but long before this 2003 Plan was enacted, the 1999 Law for the Reconciliation of Work and Family (LRWF) would be a very important piece of legislation for women and others trying to have the best of both worlds.

The LRWF would address aiding women in their quest to devote themselves to both their work and their families, without overly compromising them. It suggested several

changes to current policies, as well as the need for several new policies, all of which addressed how to facilitate this balance for working mothers (and fathers). Nonetheless, the law was far from perfect, and over the past eight years many critiques have surfaced calling the law limited, along with other things, and suggesting ways to better and revamp it.

In *Familia y Trabajo*<sup>20</sup>, Miguel Angel Almedros Gonzalez (2002) analyzes the law from a variety of aspects, and most especially through a discussion of its limitations. The first thing Gonzales does, however, is recognize the law for its importance and influence. He calls attention to the fact that the law highlighted the importance of women in both the home and the economic world, proving to Spain that their cooperation and participation in the workforce was both necessary and desirable. The law also recognized the role that women had played insofar as the change in Spain's political atmosphere was concerned, and that their contribution to the great social movements of the previous three decades was enormous. This recognition of the importance of her role and place in Spanish society helped to give validation to the Spanish working woman.

One of the main goals of the LRWF was to amplify and expand the parental leaves already in existence in the working world. It especially wanted to ensure the application of these parental leaves to both working men and women, not only to women. This goal was promoted in order to alleviate disparities between the sexes and to promote gender-equality in all aspects of the workforce. The gender-equality aspects of the Law were especially highlighted as people continued to hope for a transformation in the *machista* mentalities still very much in existence (Gonzalez, 2002).

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<sup>20</sup> *Family and Work*

Differing from previous legislation, the law expanded parental leaves and “incorporated new aspects, such as the augmentation of parental leaves available for all child-caring cases, or the extension of leaves for the care of other relatives, not only children...the law also increased the cases in which parental leaves could be used as much by the father as by the mother” (Tobio, 2005: 15).<sup>21</sup> The law didn’t focus on parental leave as the only solution to reconciliation policies, but they were the main focus of its suggestions. Its general objectives were exactly what Spanish society was looking for at the moment – to eliminate the obstacles and problems confronting job-seeking women, and to help to alter the *machista* mentality continuing to permeate Spanish society. However, the law was far from perfect. Strong complaints came from a variety of syndicate groups who lamented the lack of suggestions for any sort of child-care facilities. They also cited the fact that there were no mechanisms developed to obligate men to share more in domestic tasks.

The Law for the Reconciliation of Work and Family was important largely because of its instrumental role in bringing reconciliation policies – and the scarcity of these policies – to the attention of the government and the public. It also affirmed the importance of women to the Spanish economy instead of only to society. And although it was severely deficient in terms of revolutionizing legislation, the LRWF became another jumping-off point, along with the EPCA and the PEOWM, for women and gender-egalitarians to continue the process of change and clear a path toward true gender egalitarianism via equality-based reconciliation policies. In the following section, this paper will look at

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<sup>21</sup> “incorpor[ó] aspectos nuevos, como la ampliación de los permisos de cuidado de hijos en todos los casos o la extensión de los permisos para el cuidado de otros familiares, diferentes de los hijos...la nueva ley además aument[ó] los casos en los que los permisos [pudieran] disfrutarse tanto por el padre como por la madre” (Tobío, 2005: 15).

and analyze some of these deficiencies brought to the attention of scholars, politicians and the public alike.

### *Current problems still facing the Spanish population*

In the three decades since Franco's death, Spain's gender-equality policies and reconciliation legislation have advanced far beyond any reasonable expectations. This was due to both the guidance of the EU and its Community Action Programs, and also – especially in Spain's case – to the eagerness of Spain and its population to admit changes into their lives, and even to embrace them at the cost of altering values which had been at the core of their society for centuries. However, though its progress has been impressive, Spain continues to face numerous problems which are difficult to solve. This is largely because of their variety and the fact that many of these problems are logistical, as opposed to problems that women and men are, themselves, causing.

Many of these problems were sparked by the enormous number of women entering the workforce over such a short period of time, as well as by governmental responses insufficient to cushion the effects of this particular social movement. Luis Moreno's (forthcoming) article, *Spain's Transition to New Risks: A Farewell to 'Superwomen'* discusses several of the issues which have become more and more problematic over the past few years, especially with this growth of women in the workplace. These problems can be categorized as being due to three different factors: societal constraints, lag in institutional and political responses, and other political factors. The problem with categorizing them is that many of the problems are the results of a combination of these factors, especially the combination of societal constraints with institutional lag.



Nonetheless, the categories do help, at least somewhat, to clarify the different problems and the reasons behind why it is so difficult to resolve them.

The term “superwomen” refers to the fact that the generation of Spanish women beginning their careers right after Franco’s death and during the Transition was prepared to be both a part of the workforce and to take responsibility for the majority of, if not all, household issues. This is not the case today, however. The generations following this first Transition generation have become less and less willing to take on this daunting range of responsibilities without help (Moreno, forthcoming), signaling the existence of a major, overarching social constraint, a change in societal values and the need for new solutions.

Another main social constraint, which illuminates the slow-changing Spanish value system is mentioned by both Luis Moreno (forthcoming) and Constanza Tobio (2005) and has to do with the division of domestic duties. The discrepancy between domestic work done by men and women remains much too large to exist in the Spain of today, especially when the country claims to be founded upon the principles of liberty and equality. Despite a large number of both sexes saying that household work should be divided equally between the sexes, the actuality is that women continue doing an disproportionately high share of the work.

A problem that combines both societal constraints with a lack of institutional and political support is visible when one looks at the low fertility rates currently found in all of the Mediterranean states -- Greece, France, Portugal and Spain. Fertility rates have fallen to an all-time low in these countries and the governments and economies of these countries are willing to work very hard to remedy this in order to avoid extreme gaps in

their populations' age-distribution. One reason cited for these low rates is that since the Transition, higher education has become the norm for women as well as men, thus extending the family-timeline for the entire population and not only for males. Many critics also put the blame for this on the fact that many young couples simply can't afford to start families until they are older and more settled in their jobs, so they are choosing "quality" over "quantity", and thus having fewer children, and having them later in life. Interestingly, the fertility rate does not indicate the actual desires of Spaniards. In a survey completed by Hobson and Olah in 2004, the number of children desired by Spanish parents is nearly double the number actually being born. This indicates that, were there resources in place to help parents with their familial and economic responsibilities, Spain would be able to augment its fertility rate and start to solve this particular problem (Moreno, forthcoming; Hemerijk, 2001).

Another important social constraint, and one that seems locked into a vicious circle, is analyzed by Luis Moreno (forthcoming), along with Constanza Tobio and Juan Antonio Fernández-Cordón (2005). They call attention to the disappearance of the *abuela maternal* – the maternal grandmother – who has, over the past three decades, "emerged as one of the key figures who helps working women also be mothers". This *abuela materna* – along with the *abuelo materno* (the maternal grandfather) -- represents the generation of now-elderly people who have taken on the task of helping their daughters, and occasionally sons, by caring for their children. A special bond has existed between these superwomen of the Transition and their mothers because the latter were not allowed to work during their lifetimes and have wanted to help their daughters to fulfill their own career dreams. This solidarity has helped, until now, with the lack of

government-provided resources for parents by providing essentially free child-care to an entire generation of workers. A fringe benefit of this situation is that, along with supplying free child care, the use of the *abuela* eliminates the sense of guilt often associated with parents leaving their children with veritable strangers. Nonetheless, this particular situation has locked itself into a vicious cycle of family-provided childcare, eradicating the need for any sort of state intervention. Now the state is finding itself in a time of crisis, as this generation of *abuelas* grows older and incapable of caring for their grandchildren, and as private care-takers are simply not prepared to deal with the huge influx of children now left without care. The lack of external – both institutional and political – support for Spanish families is one of the principal problems mentioned by both Moreno (forthcoming) and Tobio (2005) as needing to be addressed so that gender-equality can progress.

These, then, have been the main problems plaguing Spain's gender-equality politics over the past few years: how to replace the *abuela-materna*; how to deal with the disappearance of the Spanish superwoman; how to help young couples with their familial responsibilities so as to boost fertility rates; and most especially, how to stimulate a transformation of Spanish mentalities to make them more receptive to equal division of labor, both in the workplace and in the home. Valiente mentions the discrepancy still existing between the legislation passed by the government and the changes which actually take place in society. She says that "current Spanish gender equality measures still have to produce societal change" (forthcoming: 29), noting that there is still a prodigious amount of change necessary. Therefore, change must not only attempt to fix the problems stated above, but actually attempt to transform a large part of the value-

system itself of Spanish society. The transformation must begin with solutions from institutions and politicians alike, and take into consideration the fairly major social constraints of the traditional Spanish value system.

### *Latest legislation and its champions*

When José Luis Rodríguez Zapatero entered into office as the Spanish President of the Government in 2004, he and the Spanish Socialist party (PSOE) had already placed gender-equality on their agenda of important issues to be addressed during his Presidency. With the Socialists replacing the more conservative People's Party as the majority party, there was hope that successful changes would be enacted during the next few years. In an April, 2004 interview with reporters from *El Pais*, Zapatero, a fierce self-identified feminist, said that in his opinion “the most liberal, developed, cultured societies are those in which men and women are equal,” and then asked, “How is it possible that half of all human beings – that is, women – have been allowed to be marginalized and discriminated against for so many centuries?”<sup>22</sup> He also told the reporters that there were definitely plans for changes to the current gender-equality legislation (*El Pais*, 2004).

Zapatero and the Socialist party proved his words right when, on March 22, 2007, the Organic Law of Equality was presented and passed, though with the abstention of the People's Party. The Law is a culmination of a series of suggestions and improvements to women's equality and labor laws which had been growing in both number and popularity

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<sup>22</sup> Las sociedades más desarrolladas, más libres, más cultas son aquéllas donde hay una igualdad entre hombres y mujeres...¿Cómo es posible que durante tantos siglos se haya permitido la marginación y la discriminación, el sometimiento de la mitad de los seres humanos, es decir, de las mujeres?

under the PSOE's three year control of the government. The 2007 Law draws on many sources to address the problems of gender-equality, especially pulling from the 1931 and 1978 Constitutions and adding their influential words and ideas to ones coming from both the global and European levels. In terms of international influences, the Law states that

Equality between men and women is a universal principle recognized in a variety of international texts about human rights, including those which the convention stresses regarding the elimination of all discrimination against women, passed by the United Nations; General Assembly...and ratified by Spain...in this same field, [the Law] tries to evoke the influences introduced by many...world conferences...(Ley Orgánica 3/2007:1).<sup>23</sup>

Not only does the Law cite the UN as an external influence but also, of course, the European Union, saying that "Equality is...a fundamental principle of the European Union" and that "equality between men and women, and the elimination of inequalities between them, is an objective that should be integrated into all politics and actions of the Union and its members..." (Ley Orgánica 3/2007:1).<sup>24</sup>

This Organic Law tries to "do justice for all women" and transform Spanish society "forever, for good and radically"(*El Pais*, 3/2007).<sup>25</sup> The law is labeled especially radical because of its admission and assertion that simply to declare equality between the sexes is not enough and that more concrete laws are necessary to actually cause societal change. Thus, most of its general objectives have to do with the creation of new policies and laws to help Spain abolish gender-discrimination and inequalities irrevocably. Some of its

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<sup>23</sup> La igualdad entre mujeres y hombres es un principio jurídico universal reconocido en diversos textos internacionales sobre derechos humanos, entre los que destaca la Convención sobre la eliminación de todas las formas de discriminación contra la mujer, aprobada por la Asamblea General de Naciones Unidas...y ratificada por España...en este mismo ámbito procede evocar los avances introducidos por conferencias mundiales...(Ley Orgánica 3/2007:1).

<sup>24</sup> "la igualdad es, asimismo, un principio fundamental en la Unión Europea" y que "la igualdad entre mujeres y hombres y la eliminación de las desigualdades entre unas y otras son un objetivo que debe integrarse en todas las políticas y acciones de la Unión y de sus miembros..." (Ley Orgánica 3/2007:1).

<sup>25</sup> "para bien, radicalmente y para siempre" (*El Pais*, 2007).

goals have to do with politics and most especially to increase the number of women in positions of power and decision-making. It extends both the length of and the reasons for parental leaves. It lists mechanisms with which the local and state governments can develop goals and implement laws to help them reach these goals. The Law also promotes measures which can help these laws and policies of equality to transcend people's personal lives. It also mentions the need to establish new, varied reconciliation policies. These, in part, have to do with the parental leaves mentioned above; however, the Law also brings up the fact that Spaniards are soon to be desperately in need and desirous of new, external child-care services. Finally, it enlists the help of large companies and businesses in providing these family-help services to Spaniards. To each of the Autonomous Communities is given the responsibility of seeing that as much as possible of the law is developed at the regional and local levels.

In June of 2007, the People's Party recalled the Organic Law, claiming the unconstitutionality of some of its sections, especially those requiring a certain percentage of government positions to belong to women. Their reasoning behind this accusation was that this forces the hand of the political parties to, perhaps, cause reverse discrimination against men. However and in spite of some of its deficiencies and setbacks, this Organic Law of Equality is a crucial step in Spanish legislation. It is a testament to the country's willingness to work toward formalizing gender-equality at all levels of society as well as to its ability to incorporate European and world values into its legislation.

## ***CONCLUSION***

### ***In which I visit the future of gender issues in Spain***

Spain is a country which has experienced a great number of obstacles on its path toward full gender equality. Despite these setbacks, however, it still finds itself at the forefront of gender-equality legislation. This is largely thanks to its history of cooperation with the European Union, especially in recent history, as well to its own determination to become a completely democratized country with its values centered upon liberty, equality and unity.

The Second Spanish Republic was probably the first era in which Spain had showed its penchant for formalizing equality legislation and basing its entire government upon that and similar principles. The desire of so many Spaniards for Spain to be a liberal and democratic nation colored this entire period of governance. Unfortunately for the democratic-Spain-that-could-have-been, Franco's regime brought disaster and reversal to these dreams, and for forty years Spaniards lived without the rights and liberties for which they had fought so hard. Finally, after Franco's death, Spain found itself in a new period of change. The spirit of liberty, democratization and compromise had remained intact and grown to an explosive point during its four decades of repression. The Transition to Democracy was exactly what the majority of Spaniards had been waiting for, and it allowed many of their repressed rights once again to see the light, including rights for women.

At this point, though, political activists were faced with so many problems that it was difficult to know where to begin. With the central-democratic government in power (soon to be replaced by a liberal, Socialist government) and savvy political leaders who were willing and able to use their influence to promote compromise among political parties, new legislation could be drafted which would reflect these new values so imbued with the spirit of compromise and liberties (Valiente, forthcoming; Roller, 2002). Nonetheless, the policies and political power of the European Union would help these policies – especially those in the realm of women’s rights and gender equality – to point Spain’s in the correct and forward direction, as well as to give the country several guidelines and suggested legislation to adhere to. The EU and its programs for Community Action helped lead Spain in the creation and implementation of its own legislation. The Spanish Plans and legislation would continue growing in influence and importance in Spanish politics until they would almost outshine those guiding European principles of and plans for equality.

It was Spain and Europe working together that allowed for such radical changes within the Spanish government. Without the European Union’s influence and guidance, it is doubtful that Spain could have achieved such an extreme political transformation on its own, especially in terms of gender-equality legislation. Without the extremely liberal and determined spirit displayed by Spaniards over the past thirty years and the willingness of political parties to compromise, however, it is also unlikely that such changes would have been possible. Spain is still in a period of transition, and has much more work ahead of it, especially in the arenas of reconciliation, women’s and family policies. Nevertheless, the amount of progress that Spain has made in the past thirty



years is both visionary and noteworthy. Should Spain continue on its present course to overcome gender inequalities and discrimination, it cannot help but live up to the democratic values of justice and equality promised to Spaniards in post-Franco legislation.

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